

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

v.

**DONTE TAYLOR**

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)  
)

2:18cr242

**Electronic Filing**

**MEMORANDUM ORDER**

AND NOW, this 8<sup>th</sup> day of January, 2020, upon due consideration of defendant DONTE TAYLOR's *pro se* motion for disclosure of Grand Jury Proceedings, IT IS ORDERED that [94] the motion be, and the same hereby is, denied.

It is well-settled that the disclosure of such proceedings is appropriate only under narrow and compelling circumstances. And the record falls far short of demonstrating that such circumstances are present. "As a matter of public policy, grand jury proceedings generally must remain secret except where there is a compelling necessity." United States v. Miner, 299 Fed. Appx. 110, 111 (3d Cir. 2008) (quoting United States v. Procter & Gamble, 356 U.S. 677, 682 (1957)). The disclosure of grand jury testimony is authorized at a defendant's request where "the defendant shows that 'a ground may exist to dismiss the indictment because of a matter that occurred before the grand jury.'" Id. (quoting Fed. R. Crim. P. 6(e)(3)(E)(ii)). Otherwise, the court has discretion to authorize such disclosure "preliminary to or in connection with a judicial proceeding." United States v. McDowell, 888 F.2d 285, 289 (3d Cir. 1989) (quoting Fed. R. Crim. P. 6(e)(3)(C)(i)). To obtain such testimony a party must show "a particularized need for that information which outweighs the public interest in secrecy." McDowell, 888 F.2d at 289.

Defendant has failed to establish either basis for disclosure. There is no foundation to infer that matters that occurred before the grand jury will provide a basis for dismissal. Similarly, the record does not present any reason for disclosure that would outweigh the public

interest in maintaining secrecy, let alone one that is compelling. Consequently, defendant's request for such information must be denied.

s/David Stewart Cercone  
David Stewart Cercone  
Senior United States District Judge

cc: Shanicka L. Kennedy, AUSA  
James J. Brink, Esquire  
Robert E. Mielnicki, Esquire

United States Marshal

*(Via CM/ECF Electronic Mail)*

Donte Taylor  
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*(Via United States Postal Service Mail)*